

HYDERABAD – At-Large Leadership Working Session Part 5 & 6
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UNIDENTIFIED MALE: Good morning, translators. We're just getting ourselves set up for the test and then but you can obviously all hear me because everybody's nodding in the right direction. Fantastic. I'm so used to nodding in the wrong directions at the moment.

You're starting with English so, Chuck, you should be able to hear my voice and be talking in English. You can hear my voice. Fantastic. If we can start translating from this now, please. We can listen to French. Just mention that it is the French Channel because there are so many people in there. I'm sure they're not all speaking French, but we will get there. And we are getting there.

I've had a very full breakfast this morning. I had poached eggs on toast this morning. It was quite nice, a bit of black pepper rather than the white pepper. We have French. Fantastic. Now we'll go to Español. And we shall check Spanish. And last night for dinner I had, strangely enough, I had an Indian buffet. The Indian buffet was over at the Hyatt and it sort of tasted okay but it was very, very, spicy for me and I don't do spicy foods. So that's just my weak Australian ways.

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So we're hearing now. We should have it in the next, I reckon, 10 seconds. And we have Spanish. Thank you very much, ladies and gentlemen. I am happy

ALAN GREENBERG: If there are any At-Large Leadership people out in the hall, could we try to gather them in?

Okay, we will start in a moment. If everyone is in the room, please take a seat.

Thank you very much. I'd like to bring the meeting to order. The item we have on our agenda starting today is ICANN Evolution, also called Work Stream 2. The working group we have following this is called ICANN Evolution. That is, this is the group that looks at ICANN as it's changing, and right now the main subject are the Work Stream 2 subjects.

What I would like to do once we have a list of the subjects on the screen is: can we identify for each subject who is in a position to talk to it? There are a number of people within this room who are on the various Work Stream discussions and working groups. Could we have one discussion, please, here? Thank you.

I will give you a personal view that I believe everyone in this room, every At-Large Leader, every ALAC member, should be on at least one of these working groups and active in it. That is far

from the case right now. If we repeat the history that we did on a recent call reviewing Work Stream 2 – how many people in this room – and I want you all to be blunt and completely honest – think Cheryl talks too much sometimes? We’ll see as we go along one of the reasons why. I won’t give you the answer yet. We’ll see if you can guess it.

Alright. We have on the list on the screen the Work Stream 2 topics, and what we’re going to do is go over them one by one – the current status and where people think they’re going. It’s really important that everyone in this group understands where we’re going. Each of these topics is going to come back to us for approval. If we think they’re doing something really stupid or ill-advised or incomplete, we need to say so now as the topic is being discussed because it is going to be too late afterwards. This is not like the IANA Transition or for that matter the overall accountability that we’re going to wait nine months until it all evolves. These working groups are coming up with a proposal and, yes, the overall CCWG does have to ratify it, but they’re not likely to change it radically. So this is the time to get involved.

The first subject, the first topic, is diversity. Sebastien, can I presume you’ll take the lead on this one?

SEBASTIEN BACHOLLET: Thank you, Alan. Yes, this group is just meeting four times and is not yet very advanced in the work. We just got at the previous meeting a proposal straw man where I think there is two points to be taken into account right now. I will not read the whole straw man. I don't think it's necessary and useful, and I would like just to concentrate on I would say one item or two items.

The main is to read to you a short definition of where we are on that topic. Maybe there's not too much to be discussed here, except if you are very concerned by the way it's worded, but it's to allow you to tell the members of this subgroup your point of view about diversity.

Just a second. I was not ready, but now I am. Okay.

The current definition of diversity – and it's still in discussion within the group – is “Diversity within ICANN refers to ICANN's ability to facilitate diversity and create an inclusive environment in various aspects of stakeholder representation and engagements throughout all level of the staff, community, and Board.”

I guess it's self-explanatory. It tries to embed all the notions about diversity and what we can do. The rest of the discussion will be on what are the topics that need to be enhanced regarding diversity, which groups, how we will do it, and who will be in charge of it – there is a proposal on the table to create

an Office of Diversity – and where this office will be within staff, completely independent or independent within the Ombuds Office. That’s an open question.

And I will stop here because we don’t have so much time, but if we have questions – I am not the only one in this room to be a member of this group – we will be happy to answer or to discuss issue. Thank you.

I hope it’s what you were thinking as a report. Thank you.

ALAN GREENBERG:

Thank you, Sebastien. Let me highlight from my perspective one of the real challenges we have in diversity. I don’t think anybody is going to say we shouldn’t have diversity, whether it’s gender, geographic, and all sorts of other perspectives that people have. We also have to address skills, number one. And we can’t ignore that, especially in some of the groups. Lastly, we are always in a position where we say we want bottom-up.

Bottom-up in ICANN often translates to individual groups picking people, and if every group that picks people for a working group or something like that, picks a man, it’s very hard to get diversity. And yet we don’t typically want to be in a position where we say to the bottom-up organization who they’re allowed to select.

So combining these two is difficult. Within the Board we have the NomCom that is charged with, after the ACs and SOs make their selections, they make other selections, and they may well take diversity into account in doing that, and in fact, do. The bylaws require them to in some types of diversity, and certainly in terms of region. And they obviously do if you look at the selections in terms of gender, and I think the NomCom is doing very well these days in addressing that. But for many of our other appointments we don't have that discretion. How do you balance that with the need to ensure diversity? It's one of the real topics.

I open the floor to anyone who has any comments or thoughts on this. Certainly from any of the other working group members, but other people who aren't participating as well.

By the way, we have a full session today – this session plus another part allocated for these discussions. If we get through it all quickly, then so be it. We'll find some other use for the time. But it is really important to do it. We have a long speaker queue. I am asking Olivier, who is sitting beside me and can therefore put a piece of paper beside us, to keep track of the speaker queue.

Olivier, who's first?

OLIVIER CREPIN-LEBLOND: Tijani, Leon, and me, and then Seun.

ALAN GREENBERG: Tijani is first. I'll open the floor to Tijani. If someone can give Olivier a piece of paper so we can in fact communicate by it.

TIJANI BEN JEMAA: Thank you very much. Thank you, Mr. Chair. I agree with you about the knowledge, etc. Yes, we need diversity, but diversity is not the unique element of the choice. We need to include it and we don't have to ignore it. We will not say, "Oh, because we need the best people, we will ignore the diversity." We have to put those two criteria together, and the two criteria should be considered in any case. Because if we speak only about diversity, we may have very poor people. And if we speak about only competencies, etc., we may have people from the same region, from the same color, from the same sex, etc. Thank you.

ALAN GREENBERG: Thank you, Tijani. Could we have a count up timer; that is, no alarm but we're showing you how much time you've spoken. If we have to we will go to a two minute or then one minute countdown timer if we start running out of time. But at this point, we'll just simply make sure you know how long you've spoken. Olivier?

OLIVIER CREPIN-LEBLOND: Leon.

LEON SANCHEZ: Thank you very much, Alan and Olivier. I do agree that we need diversity and I do agree that we need skills. It's pretty much in line with what Tijani just said. But I think that when we are at a crossways of choosing between diversity and skills, it will depend on what kind of role we're trying to fill in because there are certain roles that we make no mistake require high skills to actually undertake that role. But there are others that maybe are not as – I don't want to say not as important – but not as complex that are in need of very high skills to undertake.

My fear is that, if we keep privileging skills over diversity, we will be on this eternal loop of having the same people participating again and again and again on the same topics. So I think that at some point we need to do some kind of coordination between capacity building, between [academic], between leadership, choosing bodies and committees so that we can fill in those roles, those seats, with both new people, that are in turn mentored correctly. Cheryl has done an excellent job mentoring a lot of us and leading us to different roles within ICANN.

So I think that diversity per diversity is as bad as skill per skill. So we need to find a balance in that.

OLIVIER CREPIN-LEBLOND: Seun Ojedeji.

SEUN OJEDEJI: Thank you very much. Thank you, Sebastien, for the update. I just wanted to add a few things. In terms of diversity, just in the line of thoughts of Tijani and Leon as well, I'm looking at a document that was linked on the agenda, which is the Google Docs document, which actually lists the elements of diversity. It says that it's currently not in order. I think that those elements needs to be in order. It should be good to prioritize them – which of them are priority, which ones are more important. While I recognize that we cannot make it really a must, we should try to prioritize which of those items are critical to this community.

The other point is in terms of the definition. I think maybe, if it is possible – and I don't have a suggestion now – we should try to avoid the word 'diversity' [in] the definition of diversity. That should be really good. Thank you.

ALAN GREENBERG: Thank you, Seun. Interesting last point. I presume if it says “currently not in order,” that there is an intent to order it when they get to some point. But thank you.

By the way, anyone who has their hands up – and there’s a lot of them – some of you please consider joining the working group. If you have input, you may be able to actually help build the policy. Olivier?

OLIVIER CREPIN-LEBLOND: Next person in the queue is Olivier Crepin-Leblond, so that’s me. I was going to ask Sebastien Bachollet: we have here the two diversity straw man links. These actually come from the last call. Was there any significant advance at this meeting? Because there was a full day on all of the different subtopics. So were there any differences from a few weeks ago and now?

SEBASTIEN BACHOLLET: Thank you, Olivier, for the question. The one-day meeting was not meant to be a meeting for each of the Drafting Team or subgroups. The only topics we were discussing were when the subgroup will be enough advanced in its work to have a specific question or to have a specific document ready to be discussed by the whole group. It’s why by memory, we talked about the SOAC accountability, we talked about transparency, we talked

about IRP, we talked about ombuds, and we talked about staff accountability. I may have missed one, but it's almost [inaudible].

Then the other: we are not into the loop because work is not enough advanced and it needs to be done by the working group prior to any plenary session discussion.

ALAN GREENBERG: Thank you, Sebastien. May I ask everyone to look at the subjects that are coming out and, via Skype to me privately, volunteer to take responsibility for that group? For the record, the next one will be Ombudsman. Olivier?

OLIVIER CREPIN-LEBLOND: The next person is Mona Al Achkar.

MONA AL ACHKAR: Good morning. I am part of this group that works on diversity, but I would like to ask a question for the rest of the room. I would like to know whether you think that the purpose and the role of ICANN couldn't be negatively influenced and negatively influential on the matter of diversity. Because diversity is also an element for democratization.

So do you think ICANN's mission and ICANN's role do not correspond to this matter of diversity?

ALAN GREENBERG:

I'll try to answer, and I'm not on the working group. I think diversity is something that we superimpose on top of ICANN to try to make sure that, when we are making policy, when we're making decisions, when we're doing anything, we don't end up doing it from a biased point of view and that we get as many perspectives as possible into it. So if we do a bad job on diversity, if our Board of Directors is always male and no females, or always females and no males, then I think we're almost surely going to not include all of the perspectives that have to be done in any given subject.

So is it possible that, by ignoring diversity or not taking sufficient action, we end up with something which is a bad outcome because of it? Yes, it is possible. I think there's enough sensitivity right now that it's probably not probable, but we're certainly not as good as we can be. And, honestly, we're never going to be as good as we can be.

Look at this group. Most of our liaisons are female right now. We pick each – no, no, no, it's important. We pick each one one by one, and we can't go back and say, "Sorry, Cheryl. You were the last one picked. We have too many women. We're going to pick

somebody else.” I mean, we could, but I don’t think we want to do that.

So it’s a balance. I don’t think our structure forces us to ignore diversity, but it makes it hard sometimes. That’s my opinion. Anyone else?

OLIVIER CREPIN-LEBLOND: The queue currently stands as Harold Arcos, Cheryl Langdon-Orr, Julie Hammer, Glenn McKnight, and Alberto Soto. May I suggest, Mr. Chairman, that we close the queue after Alberto Soto on this topic?

ALAN GREENBERG: Yes.

OLIVIER CREPIN-LEBLOND: Okay, next is Harold Arcos please.

HAROLD ARCOS: The challenge of these issues is related with the space to where we have [inaudible]. It’s not [inaudible]. Sorry, I’m going to speak Spanish.

Our challenge in this case for this topic is related to those spaces where we haven’t reached yet, where ICANN is not able to be

strong. And this of course involves all the RALOs, of course. In each RALO, we have spaces that we have to cover. The awareness we have raised in Latin America and in the Caribbean region – well, we speak here about 13 countries, and diversity in this case is a challenge for us. We need to go deeper into this topic and we need to cover those spaces where diversity is not taken into account.

And this should be done at a global level. This is not just a topic exclusive of certain RALOs. This is an effort we have to make, and if we want to make this effort, we have to apply this in all our RALOs. Thank you.

OLIVIER CREPIN-LEBLOND: Cheryl Langdon-Orr.

CHERYL LANGDON-ORR: Thank you, Olivier. I just wanted to remind you all that, within this particular working group we are, of course, looking ICANN-wide at the matters of diversity. And all parts of ICANN are far from equal in their current levels of various types of diversity. And they're also far from equal in what they need in diversity.

Let's put aside whether we're looking just at geographic or just at cultural or just at language or just at gender, and let's recognize that we are, and have been since our inception within

the At-Large community – the ALAC is the only properly and constructed geographically diverse group with your RALO structure. That is almost unique.

There is a requirement for geographic diversity in other ACs and SOs, but it's not structured as tightly as we are with our NomCom- appointed and RALO-appointed seats in the 15-person ALAC.

So where we are coming from might be very different from where the ASO may be coming from. And what we're trying to put together in this Diversity Group are overarching principles and recommendations that are applicable ICANN-wide.

So everything that's been set on the table [I] cannot other than agree with. And obviously, I believe the best answer to diversity is effective capacity building and let me suggest peer support – not necessarily full mentorship – with assisting people to step up and replace the existing leadership roles, wherever they are – whether that's the next Chair of the ALAC or whether that's someone managing a work group. Somebody should be bringing someone else along regardless of what role you're taking.

Now, your 15-person ALAC is all leadership. So look at yourselves, look at your RALOs, look at where you can increase diversity. But within the RALOs, you're going to be limited to only some aspects of diversity. You're going to be somewhat

more narrowly able to be diverse in culture and language perhaps, where in the Asia-Pacific we have plenty to choose from because there's diversity within our region.

So it's not all going to be one size fits all, and we do need to recognize that for influence, research has shown, at least based on gender diversity, that on boards, whether or not they are seven member or higher number boards, three is still the necessary number of females to have the different thinking influences and outcomes on profitability, risk-taking, and the bottom line.

So it doesn't matter whether you've got three women on an 11 or a 15 or a seven-person board. Put three women on there, the influences are seen. So sometimes it's not just a number game. So look at what is the purpose of the diversity and recognize we are going to have to be flexible. Thank you.

OLIVIER CREPIN-LEBLOND: Julie Hammer.

JULIE HAMMER: Thank you. I'd like to pick up on a couple of points. Seun mentioned the need to prioritize aspects of diversity. Cheryl also touched on the one size does not fit all. I'd like to pick up on

those points and share with you what we've been doing in SSAC on the topic of diversity.

You may not be aware that I'm one of the two SSAC members on the CCWG, and I try to cover all of the Work Stream topics, but I've been paying as much attention as possible to diversity. We actually did a workshop at our annual retreat in September on diversity. What we did was look at why is diversity important for SSAC, what aspects of diversity are important, and we actually came up with a list of the primary aspect that was most important, then secondary aspects that were also important, and then a third group of aspects of diversity that were of lesser importance.

Finally we came up with: how do we actually make sure that we achieve this diversity, and it came into our processes for doing our annual skills assessment and the way members are brought into the SSAC.

So we've really tried to address the why, the what, and the how, and I think that each group within ICANN has a different perspective and a different need, exactly as Seun was saying. I haven't yet had time to input a lot of that information into the documents that the Diversity Group are developing, but I have shared what our outcomes were in SSAC with the Diversity Subgroup, and in fact with the ALAC Leadership Team. I'm

happy for that to be distributed further if you deem it useful.
Thank you.

ALAN GREENBERG: Please do distribute. I'll note that we are on topic one of nine and we are well over half an hour into the 90-minute session. We of course started late, but nevertheless, we're not going to get through them all at this rate.

OLIVIER CREPIN-LEBLOND: Glenn McKnight.

GLENN MCKNIGHT: First of all, both Julie and Cheryl's comments were really succinct and very important to acknowledge because, as Cheryl said, you have to look at the entire ecosystem, everything from volunteer staff to Board in terms of how diversity is played out.

And Julie's comment about the how, the implementation – you can have a goal but how do you do it? Because there's such a large group to represent and it's always a play-off. As we've heard earlier, skill sets versus geographical location – which one do you pick?

But from my experience on a nomination committee – not this one, but another organization – we had a real goal to set out to

do youth outreach, and we encouraged youth to apply to be on the Board.

The problem was when it came down to nuts and bolts, we had to evaluate, and we had to evaluate on experience. So experience trumped the goal of youth.

So in our case with NARALO, in our CROPP strategy and our Strategic Plan, it has always been: where are we not represented? Which groups are we not reaching out to? Which is First Nations particularly, or Native or Indian in the United States. And that was a group.

The second group is people with disabilities: how are we reaching out to them? They're not represented. And we have two groups in our ALSs, but not enough, such as seniors, people of poverty – all those groups that are not here.

So I'm very strong on a view of diversity. I'm not a minority group. Well, in this country I am. But in our case, I think it's [imperative], as Cheryl said, that our RALOs need to have this part of our strategy. We have to make special efforts to look hard at our strategy and actually come forward with suggestions.

OLIVIER CREPIN-LEBLOND: Alberto Soto.

ALBERTO SOTO:

Thank you very much. I agree that that's the most serious problem: to try to define diversity and to consider all the issues or items that are part of that diversity. I am a part of the Ombudsman group, but I am also a member of the rest of the meetings. But let me tell you that the issues are similar in all of the groups.

So if we need to choose, select a member of the Board, diversity issues will be different than if we have to choose an ALAC member. The same applies to select someone for the NomCom; that is, someone who has to be in office.

I think what we're missing here in ICANN is to have a strategic plan that allows us to progress throughout the years to solve these issues and not to try to generate a solution right now after the [WS] 2.

Another problem is the bylaws. The bylaws themselves impose certain conditions to be able to apply or not to apply that diversity. That's all. Thank you.

ALAN GREENBERG:

Thank you very much. I believe the queue was closed. We will be going to a two minute down timer with alarm for the next thing. Please, for the first speaker introducing the subject, just use the

count up timer. But whoever it is in each case, control yourself, but for people intervening afterwards a two minute down timer. We will reduce it to one minute if we have to. I'd prefer not to do that, however. Please try not to repeat saying exactly what someone else said to make the point stronger. I'm working on the assumption that everyone is actually listening to what everyone is saying. You can add three words saying you agree with somebody.

We don't have a volunteer for Ombudsman at this point. Can I ask for anyone who would like to speak to this subject? We only have a volunteer at this point for one of the subjects. Alberto, go ahead.

SEBASTIEN BACHOLLET: I am sorry, Chair, but you have a rapporteur in this room of this working group, and I raised my hand immediately when you asked somebody. If you want to have other tools to do that, you can.

And the second point, I wanted to make a conclusion about diversity, but you didn't allow me to do that. Then please, you apply for you also to have the two minutes, and you apply also just to talk once on each topic. If you do that, I will be agree to abide on some of my also possibility to speak. Thank you.

ALAN GREENBERG: I'm sorry, I did not see you raise your hand on diversity. I understand you're the rapporteur. I defer to the rapporteur for the Ombudsman to talk on this subject, and we'll give Alberto the first intersession afterwards.

SEBASTIEN BACHOLLET: It will be very short about Ombudsman, Mr. Chairman. During the CCWG Working Group Plenary session, we had decided that the subgroup will become the Steering Committee for external review of the ICANN Ombuds Office. For the moment, the rest of the work is put on hold. As soon as we will have started the review, we may be coming back with some issues that are not too much linked with the review itself, like adding some new responsibility and putting it in the review eventually or putting in the report at the end.

So that's where we are today, and there is not too much to report on that because we will need to have the review done to have a better view of what we can do and how we will do it. Thank you very much.

OLIVIER CREPIN-LEBLOND: I just want to apologize to Sebastien. I'm running the queue, so it's my fault. So I take responsibility for that. Alberto Soto.

ALBERTO SOTO: Thank you. In the Ombudsman group, we were okay until we had a problem. The decision to have a new function that our CEO decided has complicated us a little bit because, since all those functions are not defined, some are overlapping with others. We need the definitions before the new function assigned by our new CEO, and so this will be defined as soon as possible. Thank you.

OLIVIER CREPIN-LEBLOND: Glenn McKnight, your hand is up – oh, okay. There’s no one else in the queue, Mr. Chairman.

ALAN GREENBERG: Last chance. Anyone else on the subject?

Next subject is guidelines for good faith, and, Cheryl, unless you’d like to I’ll be glad to take this one.

This is an interesting topic. You will recall that, during the discussions on removing Board members, there was initially a demand, I would say, from the Board that we only remove Board members for cause. That was essentially overruled by the CCWG, and we ended up saying that, for removal of Board members, there has to be a rationale, but that rationale does not have to

be fact based or documented that the person did not follow some rules. The example I've given, which I am now infamous for, is that, if we don't like you wearing purple pants, we can remove you for that.

Clearly, a Board member is selected not to represent – I'm talking about the AC/SO ones – the group, but one selects a Board member because one believes their standards, their values, are similar. If you decide that they are no longer similar, then that is a rationale.

However, the issue that came up is – and it was an ALAC issue – that, if we are going to remove a Board member, we want to make sure that we are indemnified so the Board member cannot sue us, and in particular, if we identify a spokesperson to act on our behalf, that that person cannot personally get sued.

We were given indemnity in the bylaws, but ICANN Legal pointed out that you cannot give someone blanket indemnity. I'll pick Julie. If Julie Hammer is our Board member, and I say we should remove it because Julie has a criminal record of murdering people on a regular basis – it's one of the things she does – and if indeed that is true, that is a rationale for removing a Board member.

On the other hand, if it is not true and there is no documentation and I just made it up, then I'm not indemnified. I have to do my

due diligence. I have to make sure that now if I say we want to remove Julie because we just don't like her anymore, that's sufficient fact. But if we state something which is libelous and we cannot back it up, we are not going to be indemnified of it.

This group was put together to try to ensure that we have guidelines so people who will be called upon to be the spokespeople have some guidelines to understand when are they going to be indemnified and when are they not, when are they taking the risks themselves as opposed to doing it on behalf of the group.

The group at this point for a number of reasons had lost a little bit of track of that history, and we have been talking about specific guidelines and essentially giving the Board member a list of things that they can and cannot do ahead of time, which did go around what the CCWG had agreed on.

I'm not going to go into what the specific guidelines are right now, but we can expect them to change just a little bit because the focus in my mind – the other people who are on the group may have something to say – may have got a little bit detracted from the original intent of the group.

Cheryl, go ahead.

CHERYL LANGDON-ORR: Thank you, Mr. Chairman. I'm not sure that the group got terribly distracted or diverted from the original intent quite so much as you feared. I think, if we look at the progress as opposed to what was briefly put in the report and update, there was clear and continued understanding that the details are up to the individual ACs and SOs, but some high level principles need to be established. And the fact that we as a group reorganized and rethought and are now reviewing some of those principles I don't think is a bad thing or that we were off track. We did continually and will continue to say our job is high level principles, the ACs and the SOs have control. If they want to make lists, do so. If they don't, don't.

ALAN GREENBERG: Thank you, Cheryl. And I wasn't saying the work has been wasted, just I didn't feel comfortable reporting the exact status of our status report right now because I think that will be adjusted over the next weeks.

We're making back our time. Olivier, did I miss anyone?

OLIVIER CREPIN-LEBLOND: The queue is clear.

ALAN GREENBERG:

Thank you.

The next topic is Human Rights, and John Laprise has volunteered to take that lead.

JOHN LAPRISE:

Hi. I've been participating in the Work Stream 2 Human Rights discussions. We have very regular Skype meetings, or community meetings, I should say, on the topic. It's a tough one. Right now there's a lot of discussion about applying Ruggie principles in regard to human rights in the accountability process, but there's a lot of discussion. There's very little GAC participation, which apparently is a problem. Yesterday there was some discussion in one of the other rooms regarding whether or not the Ruggie principles are actually applicable. I don't know where this is going to leave this particular discussion because much of the work to date has been driving towards applying those to human rights.

We are drafting right now a series of documents and positions, and process is slow going but it is moving forward. There is a lot of participation and some support. There's a lot of dissention, but it feels like we're actually getting somewhere. Exactly where, it's not quite clear yet. But the work is ongoing. Thank you.

OLIVIER CREPIN-LEBLOND: I'm the first person in the queue. My question was, there was already some work done in Work Stream 1 on human rights. Why is more work required?

JOHN LAPRISE: I was not involved in Work Stream 1 so I'm coming into Work Stream 2 fresh and cold, as it were. There was a broad, initial, discussion about how far to go with ICANN's responsibility towards human rights, whether there's discussion about enforcement, support, endorsement. There's a lot of language issues as to how far we can go just in terms of legality on this issue. So that's part of the discussion.

OLIVIER CREPIN-LEBLOND: The queue currently stands as Tijani Ben Jemaa, Harold Arcos, Alan Greenberg, Cheryl Langdon-Orr, and Leon Sanchez. Tijani?

TIJANI BEN JEMAA: Thank you very much, Olivier. I am a member of this subgroup. Also I am a part of Work Stream 1, so I know what happened for the human rights. The purpose of this subgroup is to define a framework of interpretation of what was done in Work Stream 1, because in Work Stream 1 we added in the bylaws something about human rights and we said that this will not be in effect before we define the framework of interpretation. So the sole

duty of this subgroup is to define the framework of interpretation.

Second thing, the Ruggie principles is about business enterprises, and ICANN is not one of them. It was discussed long and large, and it wasn't accepted that it is applicable to ICANN.

Now we moved and we are now working on the framework of interpretation, and I think we will reach a better understanding. I don't say it is easy. It will be one of the most difficult subgroups, most controversial subgroups, but I think we will reach some common ground in the near future. Thank you.

OLIVIER CREPIN-LEBLOND: Harold Arcos.

HAROLD ARCOS: Thank you very much, Olivier. I'm not going to repeat Tijani's comment. This is a group with a deep and wide discussion, and I believe it is important to promote participation of RALOs in this working group because we have great expectations.

This was taken into account in Work Stream 1, and a group of participants believe that ICANN should have responsibility in this regard and that action should be taken. But as Tijani said before,

I don't need to explain that. What we're working with now is on the framework of interpretation.

So this is the turning point, and it's really difficult to deal with this because it's a very hot topic because we have great expectations on other working groups for ICANN to recognize human rights but also to take actions. This is very difficult to exercise because ICANN is a technical organization in itself. That's it. Thank you.

ALAN GREENBERG:

Thank you very much. I just wanted to give a personal insight of why we are and address what John was saying. Some of these Work Stream 2 items were given very clear guidelines as to what to do. And Tijani is right, the human rights one was given some guidelines, but there were exceedingly diverse ideas within the CCWG. In many cases I think the perception was: let's just move the whole topic into work Stream 2. Those who believed that the scope of human rights and the areas which it applied to within ICANN were far wider than others I believe did feel that this was a discussion which would be continued in Work Stream 2. And I think that explains how we got here. Thank you. The same is going to be true when we come to Jurisdiction, by the way.

OLIVIER CREPIN-LEBLOND: Cheryl Langdon-Orr. Okay, Leon Sanchez.

LEON SANCHEZ: Thank you, Olivier. I think that Tijani and Harold said mostly what I want to say. I just want to emphasize the difference between respecting and enforcing. The scope of this work is just to build this framework of interpretation so that ICANN can respect human rights but not enforce.

OLIVIER CREPIN-LEBLOND: Seun Ojedeji.

SEUN OJEDEJI: I was just trying to refer to the section of Work Stream 1 that actually at [eye-level] describes what is to be done, and Leon has adequately summarized it.

I wonder why the discussion is going significantly or seemingly beyond scope of what is to be done. My question to you, John, is, is there really a draft of any framework that [perhaps, by the way, is also for] all the other members of the group? Is there any draft of the framework that is actually forming now, or will that happen later? Is there a timeline to it? Thank you.

OLIVIER CREPIN-LEBLOND: John Laprise.

JOHN LAPRISE: We have some working documents we're working on presently, and we have people within the working group who are more expert in drafting who are assigned to specifically shepherd these with comments from the rest of the working group. So it's not in anything near a final form, but we are putting together ideas and comments to try to have something emerge from it that will be within the framework and the dictates of the group. So it's a work in progress.

OLIVIER CREPIN-LEBLOND: Mr. Chairman, may I suggest that we close the queue after the last person in the queue, who is Mona Al Achkar? Mona, you have the floor.

MONA AL ACHKAR: Thank you. About the human rights issue, this responsibility issue is a requirement, and saying that ICANN is a technical organization is not a good reason. I think it's good for ICANN and it's good for all the Internet users to see the respect of human rights at this level also.

I also think that what ICANN will approve will generate responsibilities because of the abuse about freedom and rights. So we need an answer. Thank you.

TIJANI BEN JEMAA: May I respond?

ALAN GREENBERG: Go ahead, Tijani.

TIJANI BEN JEMAA: Thank you very much. You know that ICANN has a mission. One thing that we want to avoid is putting in something that is out of the mission of ICANN, especially regulation of the content. And it is written in the bylaws. It must be inside the mission and the core values of ICANN. Even if it is a technical, anything, ICANN has a mission and we have to stay inside this mission. This is the only borders we try to be inside. Thank you.

ALAN GREENBERG: Thank you. One of the things that hasn't been brought up here is why we are talking about human rights at all, and I think it's worth noting. It is not to my knowledge anyway that we have a long history of violating human rights. There was a perception among some people in the CCWG – and it was a subset – that human rights agreements are international agreements which governments agree to do. The governments have the responsibility. Individual corporations do not have human rights

responsibilities other than to the extent that national law requires it because international treaties don't apply to companies, they apply to countries and they will take whatever international action they need.

There was a perception that, with the overseeing of certain aspects of ICANN – specifically the IANA option – by the U.S. government, there was an implicit requirement that is, should we do something naughty, the U.S. government would take action. There was never any case where it was obvious that would have been the case, but nevertheless.

So with the absence of the U.S. Department of Commerce overseeing our operations, there was a perception that we had to reiterate that we do care about human rights, and that really is the history of how we got into it today.

Mona, if you have a comment, just 10 – 15 seconds because we do want to go on to the next subject.

MONA AL ACHKAR:

Thank you. I just want to say that it's true that international conventions are applied to each country and to the relations between countries, but these international directives also come into the law. They are enshrined in the law that is applied to citizens. So there is a hierarchy of law. So there is conventions

then there is the constitution of the country. Conventions are above national laws so that is enforced at that level.

It's not that I meant to say that ICANN has breached this different level of international conventions and freedom and rights. I'm just saying this could be an effect. It's not ICANN that's going to breach all these conventions, but in the execution and the application of its agreements and the implementation of certain agreements, this could be the case.

So I would like to ask you to consider the matter of diversity at that level because there's a diversity at the level of legal cultures. As you know, we have different legal systems. You know that European systems are different from American systems. In the States, they respect human rights much more than.

ALAN GREENBERG: Next topic is jurisdiction, and we have a volunteer for that. Tijani.

TIJANI BEN JEMAA: Thank you very much, Alan. At first I volunteered to be in four subgroups of Work Stream 2, but at the end I concentrated only on two because it was impossible to be effective in more than two for me at least. Those two subgroups were human rights

and jurisdiction. Those two subgroups are the most controversial. In the Jurisdiction Subgroup we started by trying to define the scope of the work, even if the scope is very well defined in Annex 12 of the final report of Work Stream 1. But even so, people wanted to remove some points from the tasks defined in Annex 12. I understand why, but I didn't understand why they insisted, why we spent all the time, all the time we spent on this issue, because it is not productive at all.

Anyway, at the end we reached more or less an agreement to go and to work on the substance more than on the scope, on the process, etc.

So we are working now on the multilayer jurisdiction since it was defined like this in Annex 12, and those layers are jurisdiction of incorporation, jurisdiction of headquarter location, jurisdiction of other places of physical presence, jurisdiction for the low used interpretation of contracts, jurisdiction for physical location of litigation of dispute, and the last one is the relationship with national jurisdiction for particular domestic issues.

We didn't address the two first ones because those was the subject of this scope definition. Some in the group said that we don't have to address them because we are in California. We have to stay there. We don't have to speak about that. And they

have their reason. They said, since in the Work Stream 1 we did everything, assuming that we are in California. We cannot come now and say we will change. And this is logical. But if we put it on the table and discuss it, it will be very easy. The majority will say yes, so it is solved. But people didn't want to discuss it at all, and I understand why and everyone knows why.

So now we've reached an agreement to discuss the other layers, and we spoke about the jurisdiction of other places of physical presence, the other offices. We are now working on the jurisdiction on the law of interpretation of contracts and the jurisdiction of the physical location of litigation of dispute. We are advancing slowly, but I think it is the best way to advance. There is no other way to address this issue. Thank you.

OLIVIER CREPIN-LEBLOND: Harold Arcos, is that a new hand that you have in the – no. So next is Alan Greenberg and then Alberto Soto in the queue. Alan.

ALAN GREENBERG: Thank you very much. This is another one of those discussions where people felt we didn't finish it in Work Stream 1 so it had to be discussed in Work Stream 2 in some of the gory details. From a pragmatic point of view, I found parts of it very humorous. I have a funny sense of humor.

People at one point said we want to have in the bylaws that we will not move. There were some people that wanted that. Other people, of course, wanted to be able to move. And as Tijani said, we have built a construct around California corporate law, which would be difficult to move.

But the simple reality is that we are a California corporation. If we choose to be a Brazilian corporation or a Swiss corporation, or for that matter, a Delaware corporation, you don't move a corporation like that. You may move the company. You have to incorporate a new corporation somewhere else with a new set of articles of incorporation and a new set of bylaws.

What is written in our bylaws is completely irrelevant. And an awful lot of the subject discussions that we have had over the last year and a half on jurisdiction have been completely irrelevant but very emotional, and with people on completely opposite sides – that we want to make sure it does stay in California or we want to make sure it can move when we want it to move. Interesting, I think, is all I can say.

OLIVIER CREPIN-LEBLOND: Alberto Soto.

ALBERTO SOTO: Thank you very much. This topic, as well as DNS security, are topics that we find when we go and talk to end users. They ask me: why are they still in the U.S. jurisdiction? Or: why is there problems with the DNS? and that ICANN is to blame for that.

Well, I believe that ICANN in particular does not care enough about these, does not care about outreach or spreading this information. I believe that we have to spread this information so that people can understand this.

I had been talking about the IANA transition not long ago – now I will be attending an event on this – and the question is: why are we still discussing jurisdiction? And of course I agree with Alan. There are other topics that are following the same path, but I do agree with you. Thank you.

OLIVIER CREPIN-LEBLOND: Mona Al Achkar.

MONA AL ACHKAR: Indeed it is true that ICANN is a California corporation, but still, the bylaws of the organization should make the organization be subject to Californian law. But in terms of agreements and conflicts, these contracts and these agreements could be dealt with in other jurisdictions. That is common. It's not the first time it would be done.

We shouldn't have an issue at this level, but the people who are responsible for this should be persuaded that it is in everyone's interest to see what the interest of the weakest party is. Everyone would be weaker here. The user, the registrar – they would all be weaker. So we should consider their interest as well.

OLIVIER CREPIN-LEBLOND: Alan Greenberg.

ALAN GREENBERG: Thank you. The subject of contract law and whose laws do you use is a particularly interesting one. In a previous life, I signed many, many, contracts. I worked for a university in Quebec in Canada, and clearly we wanted our laws to be used to enforce the contract. Why? Because we already have lawyers who understand those, and if we're going to do a contract subject to California or Swiss law it's more expensive for us. It's more complex for us.

And we would always try to get the venue changed because it's convenient. In many cases the vendor would say, "You take what we're offering, or..." It's not worth their while to learn the multiple laws. And so in the end, the contracts would be signed,

have varying things – could we please use a timer for me, too, by the way, when I’m intervening?

So you end up with a combination. ICANN to date has in general said they want California law because they’re signing thousands of contracts and the costs go way, way, up if you’re trying to make sure every contract not only is going to be adjudicated under the other law but meets the other law.

So it’s a very pragmatic question. Should we be more flexible? Probably. Especially since we have offices in multiple countries where we could have expertise and do have expertise and legal counsel in those countries. But it’s an interesting one and a very pragmatic one. I think we’ll probably get more flexible as we grow up. Maybe.

OLIVIER CREPIN-LEBLOND: Satish Babu.

SATISH BABU: Thank you. In India, one of the things that is being discussed currently is the issue of jurisdiction, and there appears to be a lot of misinformation that surrounds this issue. It would help if we can work towards clarifying the different aspects of this problem and ensuring the community that, on whatever actions

we're taking and how – I think the basic issue appears to be how to clarify the doubts.

After the transition, some people here feel that we are pretty much in the same situation as earlier and that there has not been any real progress. So this needs to be clarified. Thank you.

OLIVIER CREPIN-LEBLOND: Tijani Ben Jemaa.

TIJANI BEN JEMAA: Thank you. At the beginning, when we started working in the CCWG, I was one of those who believed and said that the California jurisdiction is the best for the contracts because so far we didn't see any incidents, any problems.

But with the case of .africa I begin to have some concerns about this jurisdiction. Dot-africa is a case of a very clear issue, a very clear problem. Very clear because it is a geographic name and the panel of geographic names accepted one application and refused the other. They accepted and refused because there was support from the community and not support for the other. It's very clear.

It's one of the points of our Applicant Guidebook, and yet the judge in California accepted an invocation from the party who

didn't get the approval of the panel. Then he said that he realized that he accepted the invocation on a wrong basis. The basis on which he accepted this invocation was wrong. And yet he said, "Yet, I will continue the procedure."

This is a case that make all of Africa upset because all Africa is an African community, upset because the judge is more concerned about the interest of a single business company against the interest of a community. Thank you.

OLIVIER CREPIN-LEBLOND: Mr. Chairman, there are two people left in the queue, Seun Ojedeji and Alan Greenberg. Would you like to close the queue before or after Alan Greenberg? We'll keep it open. Seun Ojedeji.

SEUN OJEDEJI: Thank you very much. I think Tijani already said a lot about what I wanted to say. In the issue of jurisdiction, the reality is that we have to put it somewhere. ICANN has to exist somewhere unless you want to take it to the moon. It exists somewhere. And then there's going to be a law, a rule, that guides wherever we place it. But I think it's just a matter of how much freedom in terms of decision-making or in terms of immunity that ICANN has in whatever jurisdiction that it's placed.

The issue of .africa is a very, very, significant one. Perhaps that is even one of the reasons why we had a recent Africa declaration. I don't have the details of it. I just saw it somewhere. Perhaps that is the reason [that is informing that this will go to the ITU team that's Ariel] is putting up now.

Overall I think the reality is that it needs to be somewhere. Where it is right now is fine, which is California. But to what extent does it have immunity to be independent remains a question that perhaps only jurisdiction can answer. Thank you.

OLIVIER CREPIN-LEBLOND: Alan Greenberg.

ALAN GREENBERG: Thank you very much. This is an interesting subject because how one looks at it can vary. A California judge did grant a stay, but that California judge granted a stay because the suit was taken in California, not because ICANN's a California corporation. The people who sued decided what venue to go into. They could have gone into a lot of different venues. They picked it because for one reason or another they thought this was going to be the most sympathetic.

And one does do venue shopping, like when at the last moment an injunction was attempted to be taken out to stop the

transition. They picked a specific court in Texas because it was thought that that court was going to be sympathetic. It turned out they were wrong, but that happens sometimes. You pick the wrong judge. Or the wrong judge gets selected. You don't always have control of that.

So where a lawsuit is taken out is not necessarily where the company is incorporated.

And in terms of the substance, I don't think it's fair to say the judge thought that the interest of the company outweighed the continent. The judge, in theory, is looking at the facts, and ICANN did violate its own guidebook in taking the action it did, for better or worse. That's the subject of the lawsuit, not who should have gotten it in a normal case.

I did leave the speaker queue open. If anyone wants to say anything, put your hand up now because now it's closed. Thank you.

OLIVIER CREPIN-LEBLOND: Okay, so in turn we have Leon Sanchez, Tijani Ben Jemaa, and Alberto Soto.

ALAN GREENBERG: I will [inaudible] we have about five minutes left before the end of the session. We do have a bit of housekeeping because the agenda for the rest of the day has changed and we need to tell you about it. But go ahead. One-minute timers, please.

OLIVIER CREPIN-LEBLOND: Leon.

LEON SANCHEZ: Thank you, Olivier. I'm going to say this in Spanish for accuracy. The issue of jurisdiction is definitely very important. I think the .africa antecedent is [emblematic,] actually.

However, I would like to ask whether in fact the .africa result was due to the fact that jurisdiction was in the courts of California or whether this is something that we are exposed to in any court that we may resort to.

So one thing is to say this was a mistake attributable to a Californian court because it is Californian or Texan or in any other state of the U.S., or just recognizing that errors in judicial processes can happen irrespective of the venue where they are held.

I think the issue of jurisdiction is to try and find a legal system that is stable, that is reliable, and that, as shown in the lawsuit in

the U.S., to those who wanted to stop the transition, it was said this cannot be heard in this court and it is not admissible.

It's a very complex issue. It needs to be assessed in detail, but I do not think that we can reduce this and say we are in the hands of American judges, yes or no. It goes beyond that. These are issues that we may be exposed to in any jurisdiction.

OLIVIER CREPIN-LEBLOND: Tijani Ben Jemaa.

TIJANI BEN JEMAA: In response to Alan, the judge recognized that he was wrong to accept the invocation, but he decided to go on. This is a real significant thing.

Second, yes, you are right. You can sue anyone in any jurisdiction you want, but since it is an American jurisdiction and since we are addressing the issue of jurisdiction and everything is done in reference to the American jurisdiction, it is influencing the work. And it is influencing particularly the community, people who don't know about anything but they know that it is their [string] and the judge wants to give it to a company.

Those people can do anything – absolutely illogical, but they do it. Thank you.

OLIVIER CREPIN-LEBLOND: Alberto Soto.

ALBERTO SOTO: We're going back to what I mentioned before. The lack of internal knowledge. They are telling us, "Let's change the jurisdiction." People outside don't know and they do change jurisdiction. As Leon said, it's going to be the same issue in the United States or in Sweden. We're going to end up with a judge who is wrong and we're going to blame the rest. That's all. Thank you.

ALAN GREENBERG: I'm sure we could keep on going longer, but I suggest we do it over the coffee break. I'm going to continue with a few people that I think I want to continue talking to. I'll turn the session over for a moment to Heidi to look at the agenda for the rest of the day and highlight a few changes.

Heidi reminded me there's another Work Stream 2 session. That's why it's there: because I didn't think we were going to finish in one. So, yes, we are coming back to the subject and the remaining items. Heidi?

HEIDI ULLRICH: Thank you, Alan. We wanted to come back to the changes that we discussed yesterday at the end of the day. Given that Julie and Tijani agreed that there is no need for the joint BCEC/BMSPC on Monday the 7th and also because we ran out of time for the ATLAS II recommendation discussion, there'll be some changes and you can see them already. So today, just one simple change is that, in the next session in 30 minutes after the coffee break, the first item will be one hour on the ATLAS II recommendations.

Moving to Monday the 7th there'll be a number of changes.

ALAN GREENBERG: Just for clarity, the last 50 minutes stay the same as the Board discussion.

HEIDI ULLRICH: Correct. So then moving to the 7th there are a few more changes. So Wrap-up 1 will now have more time for the RALO Chairs and liaison reports. Then there's the slot for the BCEC/BMSPC, which has been changed to a Wrap-up 2, and that session will have 20 minutes for the approval of the CCWG PDP Charter. That's moved down from the Wrap-up 1. And then there'll be 70 minutes on ALS expectations.

What we've also done, given that Alan has started a thread on his initial thoughts on the ALS expectations and what they

should do and we've had some good feedback, Ariel's created a work space on that. What we are going to be doing is collecting all your comments, so when we have that discussion on Monday we'll have a much easier time of going through the various comments. So keep them coming.

Then, during the final wrap-up of that day, the only change there is it's called Wrap-up 3.

ALAN GREENBERG:

So for clarity, this afternoon's sessions are unchanged. In the next session we are replacing the ALS discussion with ATLAS. That is the main substance of the changes for today. And by the wrap-up sessions, presumably everyone will have had a chance to look and digest what the changes are.

I thank you all for this meeting. We are on break now – a 30-minute break I am told. That's a long break and hopefully we can reconvene on time so we don't lose any time on the ATLAS discussion. We will not be able to extend that so we do have to complete it. We will be completing the rest of the Work Stream 2 discussions in a following session. Thank you.

[BREAK]

OLIVIER CRÉPIN-LEBLOND: Ladies and gentlemen, we're going to start in about five minutes, which means that you have plenty of time to read through the recommendations. Ariel is going to put a link on the Adobe Connect with the ATLAS II recommendations, and please, make yourself familiar with them. And I'll go out there and try and lasso some cats in somehow.

UNIDENTIFIED MALE: Okay, may I call the meeting to order?

ALAN GREENBERG: I'd like to call this meeting to order. The primary, large part of the work will be on ATLAS. We do need some time to review Board discussion, so I do ask Olivier to end on time, even though he's starting ten minutes later.

And I have a personal comment to make, completely unrelated to this. For reasons I won't go into, I have a large surplus of Indian rupees. If anyone is planning on changing U.S. dollars, euros into rupees, come see me. I'll give you a good rate.

I'm now turning it over to Olivier. You can call on him.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Alan, and welcome back to this room. Tijani Ben Jemaa wanted to say something. Tijani, you have the floor.

TIJANI BEN JEMAA: Yes, a point of order. We had a long break here. I don't know why we are resuming ten minutes late. I don't understand it. And we are always [in failure] of time. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Tijani, and point noted. Alan agrees. I agree, but I was late myself. So, we have those recommendations. We very briefly went through the ones that were in progress yesterday. I will first open the floor. I gather that some of you hopefully have read through the ones which were in progress.

I was going to ask whether anyone has any points to address in those recommendations that are in progress at this point in time. We have less than an hour to go through the recommendations. Just as a quick reminder, the report will be sent to the Board, I do believe. Alan, is it going to be sent to the Board during this meeting, or is there just going to be a presentation?

ALAN GREENBERG: We'll either say it will be coming or actually send it during this meeting depending on what level of readiness you're at.

OLIVIER CRÉPIN-LEBLOND: Okay. Thank you, Alan. I believe we are ready, so we just ask for the ALAC to basically give its final approval to move forward with it. Ariel is controlling the screen and is able to scroll through. What I suggest then is that we go through each recommendation. I'll just read the recommendation to the record and ask if there are any comments or questions on them.

The way the document is structured, there is an introduction with a little bit of history about how we came to the point that we're in today. You know the history already, since I said it yesterday. We have, then, after that summary of the recommendations themselves, so each one is at a table.

We have several tables. We've grouped them by theme. The first theme is – if Ariel moves back up – “Improve the level of access to ICANN's multistakeholder processes for the global Internet community.” The next theme is “Facilitate the collaboration from Internet end users in policy development.”

The next one is “Enhance the engagement of the diverse At-Large community in ICANN.” The next one is “Ensure that decisions are

effectively made in the public interest and must be accountable and transparent.” That’s all of the themes. Thank you, Ariel.

They broadly follow the five working groups that we had. We had five main topics when we presented this work to the ICANN Board in June, 2014. But you'll notice there are only four, because two of them were just so close together that Ariel and I decided to put them together. It just made more sense and brought less confusion.

In the appendix, you will have all of the different assignees and the explanation of who the assignees were, appendix 1. The appendix 2 is for each recommendation, you have the implementation details and you have the next steps.

Obviously, the implementation details are not as thorough and expanded as the actual wiki page system that we have where we have the full history of the recommendation, including every time the working group added something, every time we had a meeting, etc. That full history will be kept, and I believe in the document there is a link to that full history in case some Board members have a lot of time to spare.

It's clearly a significant, very significant amount of work, and I'm extremely thankful and grateful that community members have spent so much time putting this together and working on this.

Appendix 3 has the link to the comprehensive implementation details.

I think it's a real testimony of the work that this community can do, and it's great because it is truly bottom up. It started out as a process where the At-Large structures decided the topics, then they built the whole report, and then they came up with the implementation.

At the end, we also have a glossary. I know that we were asked for a glossary yesterday on some of the topics. We might have to build one. I've noticed the main ICANN webpage does not to have a glossary anymore.

The GNSO.icann.org has a tool on the upper right hand side of the page where you can type in an acronym and you will get the corresponding words. But for our purposes, we've got our glossary here. Now, let's go to the top, please, and let's go to the first table.

I don't see anyone putting their hands up at the moment, unless I'm mistaken. No. So top ATLAS II recommendations and the first table.

Yes, one last thing. The document is hyperlinked as well, and it will be hyperlinked when it will be made into a PDF file. So you will then be able to click on the recommendation number and

that will send you directly to the appendix 2 where the expansion of that recommendation and next steps are explained.

It's difficult to think, because of we're going to start with a table, then we'd probably have to run or jump over to the appendix 2 for the next steps. I think that I'm interested in the next steps in particular, because some of the next steps will actually involve us continuing specific types of work.

So, maybe we can do them chronologically. I don't know. Ariel?

ARIEL LIANG: I think we can just look at appendix 2 and then see what the text for next step is, and skip the table.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks, Ariel. Yes, we've done the clustering. You're aware of the clustering. Let's move to appendix 2, and each time let's look to the next steps.

So, the first recommendation was, “ICANN should continue to support outreach programs to engage a broader audience in order to reinforce participation from all stakeholders.” A whole number of things were done.

The next step is for “the At-Large community to continue collaborating with ICANN staff to ensure the lasting success of

those programs, and will help develop future outreach programs and services.” Any comments?

By the way, when I do ask “any comments,” I think that in the interest of time, we can also say that if that’s the case, that’s fine. Then we have consensus on this. We're okay with moving with it. Good.

Next one: “ICANN should increase support, budget, and staff to programs having brought valuable members to the community.” Quite a broad recommendation. A lot of work was done in this to explain everything that has been done.

The next step is for “the At-Large community to continue collaborating with ICANN staff to ensure the lasting success of those programs and will help develop future outreach programs and services.”

Of course, we speak here about the different – one of the things that we have managed to do is the proposal to integrate the At-Large multi-year schedule of general assemblies and summits into ICANN's five-year operating plan. We've also continued to work on the community regional outreach pilot program, etc. This is just moving forward the work that has been done that wasn't there in 2014.

I see no hands up, then let's go to the next one. "ICANN should continue to shape an accountability model reaching not only Board members, but all parts of the ICANN community in order to develop a more transparent and productive environment."

Obviously, here, our work has also been helped with the work of Work Stream 1 Accountability process, and there is ongoing work now with the accountability of SOs and ACs of Work Stream 2.

The next step is that "the At-Large community will continue engaging in the CCWG Accountability Work Stream 2 to help shape the accountability model, reaching all parts of the ICANN community. Seasoned At-Large leaders will encourage more At-Large members to participate proactively and make greater impact."

No comments? That's fine, then everyone is happy with it.

The next one is "ICANN should study the possibility of enhancing and increasing the role of liaisons between its different advisory committees and supporting organizations to do away with the silo culture."

We have a ccNSO liaison. We have a GNSO liaison. And we have an SSAC liaison, Security and Stability Advisory Committee. We also now have a GAC liaison position that has been created that

did not exist then. So there certainly has been some improvement in this.

“To continue this effort, more RALOs will also harmonize the relationship and establish formal linkage with regional Internet registries.” Some RALOs actually have memorandums of understanding with their regional Internet registry, and it has been a very successful collaboration at that level without needing to go all the way up to the ALAC. So, the regional internet registries and the RALOs have collaborated by sending people over to meetings of the regional Internet registries, etc.

“Seasoned At-Large community leaders will also encourage more members to participate in GNSO policy development process working groups.”

I think that’s quite significant. We have only a few people at the moment who are participating in GNSO PDPs, and this is a recurring theme. We've been asking, please, do consider working in policy in the GNSO working groups.

But certainly, we have more people today than we had when this recommendation was drafted.

Seun Ojedeji.

SEUN OJEDEJI: Thank you very much. Just a question I'd like to pose based on this particular recommendation. I consider the role of At-Large to exceed the names community, so I'm wondering. In the numbers world, there is the ASO, and [we normally have] also what we call the GPDP, that is the global policy development process.

Of course, there's no GPDP at the moment. There's no global policy at the moment. Shouldn't there be some intention to also be involved in that whenever it comes up? Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Seun. Maybe I could ask any of the RALO leaders who have drafted an MoU or signed an MoU with a regional Internet registry and find out if they do take part in policy development with the regional Internet registry. I'm looking at, for example, Glenn McKnight, or looking at Satish Babu, or perhaps Aziz Halali.

AZIZ HALALI: Thank you, Olivier. Indeed, we were the first RALO to sign an MoU with AFRINIC, and we work very closely with them. At the Marrakech meeting, they were one of our partners in organizing the meeting and bringing the showcase together. We even gave them a stand in the marketplace at the Marrakech meeting.

So, we had AFRALO representatives involved at every AFRINIC meeting. There was one in Botswana. When was it, Tijani? Back in June 2016. Then RALO representatives attended the AFRINIC meeting, and for the next AFRINIC meeting that will be held in three weeks, we've put together an entire team, an entire delegation with [Daniel Nanghaka] Seun, Tijani, Wafa, and myself who will be going to this meeting. So the entire AFRALO leadership is going to attend that AFRINIC meeting.

So, they gave us, in turn, a stand at their marketplace and we're going to give a presentation on AFRALO – on how to get involved, how to engage and do outreach with the African community, for those who don't have any ALSes, how we can move forward. And I think this has given us very positive results. In fact, in six years, we managed to double the number of ALSes within AFRALO, so that is proof of that.

OLIVIER CRÉPIN-LEBLOND: Tijani Ben Jemaa.

TIJANI BEN JEMAA: To answer your question, Olivier, we're not involved in policy development within AFRINIC. They have their own working group, which is closed and it is only for AFRINIC members. And there are different requirements in order to become a member.

OLIVIER CRÉPIN-LEBLOND: Thank you, Tijani. Sébastien?

SÉBASTIEN BACHOLLET: Thank you, Olivier. I'm not sure whether our discussion is to be held within this framework or against that backdrop, but I think Seun's question is absolutely essential. So we should consider whether we're still an organization that belongs in ICANN and that has the ability of discussing all matters that ICANN is to deal with.

That would include, of course, numbers, IP addresses, names, and protocols. Can we deal with all of that? Now that protocols are actually gone, like Seun was saying, it is much more complicated now that the entire process that we've been working on is over.

I know CCTs want to be as independent as possible. IRs want to be as independent as possible as well. So if we end up having the single discussion on gTLDs within At-Large, we're going to have to reconsider what our organization is and what the aim of our organization is.

Especially if it is the duty of the GNSO to put together PDPs and we can no longer give our opinion, Seun's question would have a real impact. We would seriously have to reconsider this. So, given

that our work is not related to the implementation or that the GNSO is not involved in the implementation of ATLAS II recommendations, maybe we should try and find the time to consider Seun's question, especially knowing that the stewardship transition has already been transferred from the U.S. government and that we are now in charge of controlling the IANA, especially in this context of accountability. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Sébastien. I think part of what you're saying is related to the other discussions that we'll be having in a few moments, but Alan Greenberg wanted to answer one of the points you made. Thank you.

ALAN GREENBERG: Just to be clear, the ALAC scope is ICANN, and all things ICANN. That doesn't alter the fact that the vast majority of policy issues we're going to look at are related to gTLDs. There's not a lot of number discussion and debate in ICANN. There's not a lot of ccNSO debate, with the exception of certain focused areas.

So, yes, a lot of what we're going to be looking at is ICANN administrative type things, be it accountability or other things and gTLDs, but that doesn't change our scope when and if we need to go into other areas.

OLIVIER CRÉPIN-LEBLOND: Thank you, Alan. In the queue, I have Harold Arcos, Glenn McKnight, Satish Babu as well. I really don't want to start going into that tangent because we don't have much time. Sébastien, please, a quick answer to Alan, and then we'll continue through our queue.

SÉBASTIEN BACHOLLET: A quick answer. You give an answer, but you don't allow the discussion. And if you already know the answer, you don't allow us to have this discussion. I think it is a topic who need to be discussed by the whole group in one moment or another.

I am not asking to do it now, but please, don't come with, "I have the answer. I know everything and you need to follow me." That's not possible. Each one of us need to have a voice and to be able to discuss. I think it's an important issue and it's not so simple as you present it, unfortunately, from my point of view. Thank you.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks, Sébastien. Let's move on and we can discuss this later. Harold Arcos is next. I'm going to close the queue after Seun. After Satish Babu, sorry, because Satish arrived after you. Go ahead, Harold.

HAROLD ARCOS: Thank you very much, Olivier. Okay, well, when it comes to your question, Olivier, we haven't signed any MoU in LACRALO with our RIR. We are expecting to have some news about this. And they are really participating in one of the PDP.

For example, Vanda and I are participating in the new gTLD round PDP. And in that case, we have LACNIC staff actively engaged. This is something I wanted to share with you. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Harold. Next is Glenn McKnight.

GLENN MCKNIGHT: Thank you. I just want to carry on what Aziz was saying in terms of the success of what they had. It's not just signing an MoU. It's actually doing something. We did sign an MoU, and what we're doing now is we're doing our general assembly with them.

At their location, we have our NARALO ALSes meeting. We are integrated with all of our ALSes attending the three days of ARIN in New Orleans in the spring, in April. But in addition to that, each day we have lightning talks and we'll have our general assembly.

In addition to that, each month we will have – leading up to the event, we will have someone from ARIN doing an orientation on what ARIN is doing, what their policy process is, what they're doing in outreach.

And I'm sure with each of your regions, each of them have isolated special grants and funds for stuff. So we can't ignore them. And I know APRALO has done very well in reaching out and working with them. This will be our first time we actually are doing something tangible.

They're very generous with what they're providing. It's a very cost effective for us to do it. This originally was going to be in October of last year, but it was fairly close to the Dublin event and I know Alan was tied up. I thought it was more prudent to just – remember the way the financing works. We and Europe also had the same – we had to decide, cut this baby in half sort of the thing, but we thought it was more important for EURALO to do their general assembly and we gave it up.

So this time it's not with an ICANN event, which would be good, but I think this is – I'm not saying second best, but we are trying to document everything we're doing in a step by step project management format. So we're here to share with our best practice so that each of the RALOs can perhaps learn something from what we're doing with our local RIR.

OLIVIER CRÉPIN-LEBLOND: Thank you, Glenn. Satish Babu.

SATISH BABU: Thank you, Olivier. I would like to place on record the fact that APRALO has been working quite closely with our partners in the region. We have signed MoUs with APNIC, as well as with other agencies like DotAsia, and we have a fairly comfortable relation.

And this has happened, of course, after ATLAS II. So in part, it is in response to the action item there. And presently, what has not been done is to collaborate on policy development, and this is something that we would like to pick up. Thank you.

OLIVIER CRÉPIN-LEBLOND: That's great, Satish. Thank you. And finally, last but not least, Seun Ojedeji, you have the final word on this topic.

SEUN OJEDEJI: Thank you very much. Yes, MoUs are great. I'd like to clarify that for all the RIRs, you don't need an MoU to participate in the PDP. It's an open community, anybody can participate and give an opinion. The one that I think concerns ICANN most is the one that has to do with global policies. And the reason why I'm raising this specifically is because very soon, a global policy proposal is

going to be coming up and is going to be discussed at each of the regions. That is what concerns us significantly, even though each region I expected to participate in the specific policy for each RIR.

So, I'm suggesting that in terms of the next step for this particular recommendation, can we have something that says that we would participate in global policy processes whenever it comes up? I'd like to see that added as a commitment, because that is what concerns ICANN significantly, especially if you want to stay within the scope of ICANN. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Seun. Let's quickly move on. I'm a bit concerned of the time, so I believe that there is agreement around the table on proceeding with number 4.

So we go to number 5. "ICANN should examine how best to ensure that end users remain at the heart of the accountability process in all aspects pertaining to the transition of stewardship of the IANA function."

As you know, I don't think we really need to have any discussion on this one. We've done plenty of work on this. We had a working group. We had a whole number of things. The At-Large community has next steps, particularly the ALAC will continue playing its critical role in the post-transition implementation and

the engagement in the CCWG Accountability Work Stream 2. Seasoned At-Large leaders will encourage more At-Large members to participate proactively and make greater impact.

Seun Ojedeji.

SEUN OJEDEJI: Sorry, Mr. Chair. You said there's agreement on number 4, but you haven't taken note of my suggestion to include participation in GPDP of RIRs.

OLIVIER CRÉPIN-LEBLOND: To add it as a next steps?

SEUN OJEDEJI: Yes, as a next steps.

OLIVIER CRÉPIN-LEBLOND: Okay, let's then have an action item, please. I hope that you've taken notes on what Seun has said and just record it as an action item, please. Yes, thank you. Sorry, Seun. I should have made it, and thank you for correcting me.

Right, next. Let's go to the next steps for this and, of course, the At-Large community has been so involved with the CCWG IANA. I don't think there's anything else to discuss on this.

Number 6: “ICANN's multistakeholder model should serve as the reference in encouraging participants, individuals, or parties to declare and update existing or potential conflicts of interest each time a vote takes place or consensus is sought.”

We talk about the statement of interests that everyone has filed. Let's go to the next steps, please. “The At-Large community will continue improving its mechanism for members to declare and update conflicts of interest. The ALAC will follow the GNSO's example and require ALC members and liaisons to state any changes to their SOI at the beginning of every ALAC monthly teleconference.”

I believe the ALAC has passed this. If I could ask Alan Greenberg, is that correct? The updating of SOIs at the beginning of every ALAC call?

ALAN GREENBERG: I believe we decided to do that. Whether we're actually doing it or not is a different question. Yes.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you. So, we can continue swiftly. The next one is “a periodic review of ICANN's multistakeholder model should be performed to ensure that the process and the composition of ICANN's constituent parts adequately address the relevant

decision-making requirements in the corporation. I believe that this one – which is number 7 – is actually still in progress.

If we could go to the next steps, please. So, “in ICANN 57, the ALAC will decide whether to ask the ICANN Board to consider initiating a periodic review of the multistakeholder model to evaluate the overall composition and balance of stakeholder representation in relations to their decision-making requirements in ICANN.”

Given that the CCWG Accountability Work Stream 1 has concluded and significant activities aren't ongoing in Work Stream 2, the ATLAS II implementation taskforce believes that this recommendation may not be appropriate to implement at present and will defer it to the ALAC. If I could turn to Alan Greenberg to find out whether there will be time for the ALAC to discuss this prior to its meeting with the Board.

Okay, the word from the ALAC chair is that this will not happen at this meeting but it is in progress. And shall we set a target date for the Copenhagen meeting for the ALAC to decide whether it wants to ask the Board for this or not?

ALAN GREENBERG: Before we ask the board for this, we have to have someone draft a discussion paper and discuss it. The result of that may be,

“Despite the ATLAS recommendation several years ago, we think it's stupid and we don't do it,” or “We decide to go forward with it and do something.”

There's certainly been discussion within the CCWG that such a review is necessary. Sébastien has been saying it on the Board when he was on the Board for years. If we can come up with a rational position, sure.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you, Alan. Is it possible to recommend an action item to the ALAC that it looks into this during its next call, and maybe asks for volunteers to draft a very short issues paper on this?

ALAN GREENBERG: If we have a volunteer to lead the discussion on the next call, I'd be delighted to include it.

OLIVIER CRÉPIN-LEBLOND: Thank you, Alan. I might be looking at Sébastien Bachollet perhaps, since he had been advocating for this for a while. He's put his hand up. Okay, so –

SÉBASTIEN BACHOLLET: That wasn't putting a hand up.

OLIVIER CRÉPIN-LEBLOND: To me, that was putting the hand up. You shouldn't have moved. This is like an auction process. Thank you, Sébastien. So, that's taken up. That's the way that you assign things to people. They have to remain immobile.

“The ALAC has the duty to keep track of actions taken on all of the above recommendations.” I think that goes without saying, and this recommendation is actually complete. So thank you.

Let's move on to number 9, please. I'm now upping the rate, the speed, so Ariel, you're going to have to have some of these special pills that you are – no, I'm kidding.

Let's move on. I was talking about the sort of vitamins and things. What were you thinking? “ICANN should open regional offices with a clear strategy, subject to a cost-benefit analysis focusing on the areas where the access to the Internet is growing and where such growth is likely to occur.”

Vanda Scartezini.

VANDA SCARTEZINI: Yes, just to remember that ICANN put a presence in Brazil.

OLIVIER CRÉPIN-LEBLOND: Thank you for this, Vanda. In fact, yes, we mentioned that regional offices have opened. First, we speak of the regional offices, but we also mention Beijing, Brussels, Geneva, Montevideo, Nairobi, Seoul and Washington D.C. Should we perhaps also add Brazil in this? We could. In which city, Vanda? Sao Paolo?

VANDA SCARTEZINI: Yes. In fact, we share the – my office is part of his place to work, because he is working from home. Anyway, it's doing a lot of job with us in the region. It's very good presence over there. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Vanda. We could add Sao Paolo.

And, of course, “ALSes will continue engaging with ICANN regional offices to explore various forms of collaboration.” That’s an ongoing thing.

Number 10: “The next evolution of language services must adopt further extension of live scribing for all meetings, and generally extend the current interpretation and translation processes and make translation available in a timely manner.

There has been some significant improvement. I've noticed that here in Hyderabad, the GAC also has Portuguese now as one of its offered languages. So the language services are definitely growing.

“The At-Large community would like to see the ICANN language service team continue to grow,” and specifically, “the ALAC will request ICANN to provide captioning services to more teleconferences and face-to-face meetings,” and we've been doing that.

I don't think there's any comment that needs to be made on this. We're very short of time, so Judith, please. Judith Hellerstein.

JUDITH HELLERSTEIN: Yes, so we've only been doing this under our pilot program that we got funding, and we're going to kick off the second part of the pilot. But for FY17, we were only given six sessions or two months, so six calls, and only in English.

And there's been a demand, I know, for Spanish on it, and so we would love it to get more fully, and we hope after the conclusion of the pilot that – or maybe we can also try a pilot in Spanish. We tried last year, but they wanted to continue with English. So, we'll put in another request for Spanish and French, or three languages next time, and for a longer term. But that is the hope.

Also on that note, we would also like to request that not only the languages, but also the videos that ICANN Learn is doing – and they're working on doing it. But also to get those, make sure those are all captioned and all videos that are done on ICANN, on the website, or any publication material, should also be captioned.

OLIVIER CRÉPIN-LEBLOND: Thank you, Judith, and thank you for your efforts in this matter. You have this firmly in hand, so it's good to see. Mona Al Achkar.

MONA AL ACHKAR: I just have one question. Wouldn't it also be advisable for draft versions to be available in other languages? I have the draft in English here, for instance, and it would be nice to have it in French because it would help us express ourselves better.

OLIVIER CRÉPIN-LEBLOND: Yes, thank you, Mona. One of the questions we have for this is the turnover because it takes a while to be able to translate every draft version, and given that it is a document on which we're working, it is a changing document. It has not been printed, so it is very hard to take a snapshot to translate it and then publish it.

But of course, the final versions are always translated. Unfortunately, we cannot translate everything into every language because ALAC's working language is actually English, so it's hard to push on that. Thank you. Let's move on.

Number 11: “ICANN must implement a range of services to facilitate access according to various criteria: gender, cultural diversity, and user needs, disabilities, etc.” A lot of work has taken place on this. We've had the ambassadors. We've had the rights of tribal communities. Everything is listed in here. It's a significant amount of work.

In the next steps: “the At-Large community will continue collaborating with ICANN staff to raise accessibility, awareness, and share the lasting success of existing programs and services, and to help develop future programs and services for accessibility improvements.”

Okay, we can continue. Let's scroll down, please. Silence is consent, by the way, so I believe that we're all fine with that.

“In collaboration with At-Large structures, ICANN should put in place campaigns to raise awareness and extend educational programs across underrepresented regions.”

On this occasion this one, I believe, was one that we worked on with the DPRD, the Development and Public Responsibility

Department, all the RALOs, and the Regional Vice Presidents in the global stakeholder engagement. There's been a lot of outreach strategies going on.

The next steps: “The At-Large community will continue collaborating with ICANN staff to ensure the lasting success of existing campaigns and programs, and will help develop future ones.” We have a working group that works specifically on this. It has been very active.

The At-Large community would also like to see metrics developed to track and measure the effectiveness of those efforts. So you all have your work cut out for this.

Next, 13: “ICANN should review the overall balance of stakeholder representation to ensure that appropriate consideration is given to all views, proportionally to their scope and relevance.”

This recommendation actually ties in with the earlier one that we spoke about when it came down to the structure of ICANN, of supporting organizations and advisory committees.

Some work has been done with the organizational reviews and, again, we are asking – well, the ALAC will have to decide on whether it should ask the Board to initiate, or to include in its reviews the overall balance of stakeholder participation.

It's pretty much the same text as the one that we saw before, so I believe that this will also go into the action item for the ALAC to take on in its future work.

Next, 14:

Is the action item okay? Are you – [Zozan], I'm really pushing you.

UNIDENTIFIED MALE: I would really appreciate if you could repeat that.

OLIVIER CRÉPIN-LEBLOND: Okay. The action item here is the same as the earlier one that we had, where the ALAC had to take on the job of working towards asking the Board to do an overall review of SO/AC structure. Let's go.

“ICANN should adjust its contractual framework to minimize conflicts between its requirements and relevant national laws.” We have commented in the past regarding document disclosure or disclosure of personal information when there's a case of ThickWHOIS exemptions that were provided to European companies.

“The ALAC will submit the advice to the ICANN Board in regard to the registrar data retention waiver request process. At-Large community members will continue engaging in the CCWG

Accountability Work Stream 2 jurisdiction subgroup” – as we have seen earlier today – “and seasoned At-Large leaders will encourage more At-Large leaders to participate proactively and make greater impact.” And we can move on.

15: We're halfway through and we have ten minutes left. “ICANN should examine the possibility of modifying its legal structure befitting a truly global organization, and examine appropriate legal and organizational solutions.”

Again, this is a Work Stream 2 discussion currently going on, and so we'll continue engaging the Work Stream 2 jurisdiction subgroup.

16: “ICANN needs to improve their direct communications regardless of time zones.” It might make some people smile, but it is indeed important due to the fact that sometimes, when it comes down to time zones, documents are released at a certain point. It's the middle of the night for some people, and a few hours later they haven't had a chance to read it.

“The ALAC will maintain a watching brief on the rotation of conference calls.” I think it's very important. We have now started to do this with most working groups as well, so it's been good. And there's also – there certainly are other improvements of communication across various time zones.

Next one. I appreciate, by the way, that nobody wants to talk to these because they're pretty straightforward, so we're moving swiftly. "ICANN needs to be sensitive to the fact that social media are blocked in certain countries and, in conjunction with technical buddies, promote credible alternatives."

The next steps for this – if we can scroll, please – is that "we continue with a watching brief on ICANN's efforts for spreading social media's footprint to reach and communicate with users around the world as widely as possible." I remind you, we have a social media working group and we have a technical taskforce that look at these things, so you're all invited to join these two.

"Support end users to take part in policy development." That was a request from our colleagues.

Our next steps – and I'll come to Seun immediately on this – our next steps for this, if we can, "the At-Large community will continue engaging in the aforementioned programs and provide inputs to ensure their sustained development and improvement."

Of course, we spoke about the different drastic improvement in the amount of work that has been done here. There is some mention of position papers, which I think that we should soon see something about. We have some staff that will be drafting specific issues papers and things.

“The ALAC will also advocate for the incorporation of translation and interpretation in those programs, enhancing their reach to end users around the world.” That, I guess, answers Mona's question earlier.

Seun Ojedeji.

SEUN OJEDEJI: Yes, thank you very much. Just on recommendation 17, the Slack, we're testing it. Is there an update? Are we using it now? I thought it was just for testing purposes and we really don't have a way forward about it yet.

OLIVIER CRÉPIN-LEBLOND: Yes. Dev Anand Teelucksingh, Chair of the technical taskforce.

DEV ANAND TEELUCKSINGH: Thanks. It was more of a proof of concept to show that we can use group chat applications. Informally, we were already using Slack since ATLAS II off and on, so that we can now integrate. Whenever a tweet goes out, it's integrated immediately into our Slack channel.

So a person subscribed to the Slack channel could then, in theory, get tweets. So we are looking at other group chat

applications, and we're confident that such integration is still possible.

OLIVIER CRÉPIN-LEBLOND: Thank you, Dev. Let's move to where we were before. Were we on 19? “Eliminate barriers to participation and engagement with ICANN processes and practices.” Again, a lot has been done here. There are many programs which were implemented under the other ATLAS II recommendations.

The next steps are for “the At-Large community to maintain a watching brief on ICANN staff's efforts in the elimination of participation barriers.” We certainly have improved a lot since 2014.

May I also ask that if anybody wishes to comment on something, it's more like if they have an objection or something that they think is missing specifically on this. I know we've been very good so far, so I'm very thankful.

Number 20: “Input the user perspective whenever necessary to advance accountability, transparency, and policy development within ICANN.” Again, Work Stream 1 and Work Stream 2 had not even been thought about – didn't even exist at the time – or even in anybody's mind, even Larry Strickling's mind (Larry Strickling being the person who launched the whole process with NTIA).

Next steps: “At-Large members will continue engaging in the At-Large review and provide valuable input that facilitates the development of implementable recommendations for future improvements.”

Number 22: “Members of the general public should be able to participate in ICANN on an issue-by-issue basis. Information on the ICANN website should, where practical, be in clear and non-technical language.” We've been trying to do that. I understand that the ICANN website was also completely revamped. The At-Large website was completely revamped, and we explained this.

Our next steps on this are “to continue providing input to ICANN staff on improving the multimedia library, the microsites, and the other communication efforts targeting the general public.” A marked improvement on the past.

23: “The roles and jurisdiction of the ombudsman should be expanded. The ICANN website should provide a clear and simple way for the public to make complaints.” We've heard earlier from Sébastien Bachollet who chairs the Work Stream 2 ombudsman group that there is work going on in this.

“The At-Large community members will continue engaging in this Work Stream 2 group to help shape the roles and jurisdiction of the ombudsman. Seasoned At-Large leaders will encourage

more At-Large members to participate proactively and make greater impact.” That’s all done.

24: “Both the areas of the ombudsman and the contractual compliance department should report regularly on the complaints they received, resolved, pending resolution and actions taken to address issues raised by unresolved complaints.” Again, I'd say – I've just said a second ago what we had to say about this, so the next steps is exactly the same.

25: “To enhance ICANN's community effort on building a culture of transparency and accountability as called for in the recommendations of the ATRT 2, oversight of the Board's decision now requires an effective mechanism for checks and balances capable of providing true multistakeholder oversight and effective remedies.” That was the work of Work Stream 1.

The next one, 26: “Current policy management processes within ICANN are insufficient. ICANN must implement a workable policy management process system available for use across the SOs and ACs in order to enhance knowledge management, improve the effectiveness of all ICANN volunteer communities, improve cross-community policy specific activity” – I'll come to you in a second, Seun – “enhance policy development metrics, facilitate multilingual engagement, create a taxonomy of policy

categories, and provide policy development history as an aid to newcomers.”

And we do have – some of this already exists thanks to our new website, but we still have a long way to go for a policy management process system.

Seun Ojedeji.

SEUN OJEDEJI:

Thank you very much. Recommendation 27, I think the implementation of EC is already done. I don't think it's on the way. I think we already implemented the EC, so the wording may need to be changed that it's not on the way. It's done. It's not on the way. On implementation details, last sentence, the implementation of the recommendation is on the way. Implementation is done.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Seun. 27 you mean, yes?

SEUN OJEDEJI:

25.

OLIVIER CRÉPIN-LEBLOND: 25, okay. Good point. Do we know what we want? You okay?
Alright, thanks for pointing this out, Seun. That's good.

26: the policy management process system. We are working with – well, the community is working on this and this is something that we will ultimately be able to build.

27 is about ATRT recommendation 9.1. That has actually gone through, and it is in the current ICANN Bylaws.

28: “The ALAC should work with all regional At-Large organizations and At-Large structures to map the current expertise and interest in their membership, to identify subject matter experts, and facilitate policy communication. We will be speaking about this shortly. This is going on in some regions already.

Next, 29: “The ALAC should implement an automated system for tracking topics of interest currently being discussed among the various regional At-Large organizations and accessible by everyone.” And again, that's in process. That's something which was asked for and that we're well moving forward to.

Next: “For each public comment process, supporting organizations and advisory committees should be adequately resourced to produce impact statements.” And, yes, we have some work that has gone towards that.

The next steps here is for “the RALOs to closely collaborate with ICANN staff and the policy development support team and external contractors to fully explore the potential of the document development and production pilot program” – DDPPP, with a big smile from Heidi on this one.

I think we have like another six or seven, maybe ten? Heidi Ullrich.

HEIDI ULLRICH:

Thank you, Olivier. I think this has been a really good discussion, but we are unfortunately out of time. We do need to take the last 15 minutes to discuss the response that the Board has asked. There are some questions that the Board has asked. So may I suggest – we have the Google Doc. It's been out for comment for some time.

We've made really good progress here. We have about 13 more recommendations to go. If we give everyone 24 hours to go through it, those last three, make any changes on the Google Doc, and then we can finalize it and get it in shape to present to the Board on the 7th.

OLIVIER CRÉPIN-LEBLOND: Yes, thank you, Heidi. So this is the working group presenting it to the ALAC? I guess if the ALAC is okay with this – and Alan, it's

really in your hands. If you're okay with proceeding this way, then we can do the 24 hour thing and we can then give it a green light with the amendments in 24 hours.

ALAN GREENBERG: I'll put the question to the ALAC. Are you prepared to follow that – review the document and vote for it, not just as a blind vote saying you're saying yes regardless of what it says, but actually supporting it?

OLIVIER CRÉPIN-LEBLOND: From recommendation 31 onwards, because 1 to 30 have been agreed on already, so we're not going to change them anymore.

ALAN GREENBERG: I'm not sure that the discussion here formally says agreement. ALAC does need to agree and say we are forwarding this whole document. Does everyone feel comfortable that that is sufficient time so that when we ratify it, it is truly a decision of the ALAC and not just whatever? We have Tijani and Seun, and we are now using the Board time.

TIJANI BEN JEMAA: Okay, thank you. Two things: first of all, I think it is a very short time. It was – and the discussion [inaudible] very long – and it

was for the comments for very long. So, if people didn't do that before when they had time, they will not do it in the 24 hours coming. This is my first remark.

My second remark is that this is supposed to be the recommendation of the summit and we are speaking about CCWG, jurisdiction, etc. So I'm a little bit puzzled here.

ALAN GREENBERG:

Okay. Just to be clear, if the ALAC approves it and everyone is happy to simply say yes, not having read the current documents and not having – everyone has a personal decision to do that. I just want to make sure that the time that is being asked for is considered to be sufficient. We have Seun.

Not hearing any more comments, I'm assuming that people do think it is sufficient. Are you voting yes or do you want to speak?
Olivier and Sébastien.

OLIVIER CRÉPIN-LEBLOND: Yes, thank you, Alan. Briefly, to answer Tijani's comment: it's an implementation report of the recommendations of the summit, so it basically has found – it's looked at every recommendation,

how was that implemented. And some of it was implemented through the Work Stream activities. That's all, thank you.

ALAN GREENBERG: I think Sébastien had his hand up.

SÉBASTIEN BACHOLLET: Yes, thank you, Alan. I don't think it's really enough time, but even so, if we come after reading it more precisely that we have question or disagreement, it just goes through the question of – and sorry, I was outside and you may have discussed – but about the At-Large capacity building problem, I think I don't know what we have to ask.

It's done. We have 12 capacity building calls per year. I don't see what we have to say and what next steps could be, except that it's done. And if we explain what we are doing after doing that just because we want to do other things, it's not any more relevant of the summit itself.

My second point – and it's why I will be agreeing to have this short time – is that if you look to the calendar, we are almost two months at the middle in between two summits. The next summit will be in a little bit more than two and a half years, and if we want to have some consistency we need to finalize that and start to prepare the next one.

Then yes, let's go for a decision tomorrow and give that to the Board as soon as possible. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Alan. I'd like to thank you for that little time extension, and back to you.

ALAN GREENBERG: Thank you. Could we have the list of Board questions on the – perhaps large enough so we can see it? Thank you. Alright, we received two questions from the Board. In my mind, they were somewhat cryptic and I did do some follow-on to find out what they meant.

The first was, "What can we, the Board, ICANN, and the ICANN organization" – and I'm presuming the term ICANN organization is in our CEO's current definition of organization, or at least as yesterday's definition of implying staff – "have to do to make the transition work for you?" "You" being At-Large.

I didn't quite understand what that meant, because the transition, the move is the logical reorganization of how the IANA function is reporting, and I didn't see any relevance to us. The intent was this is the larger question of accountability, the new Bylaws, and that kind of stuff.

So, in that context, does anyone have any – anyone would like to propose an answer, or how we address it? I can certainly say what my answers would be, but I'd like to hear other people. Olivier, go manage the queue, but I see John is first.

OLIVIER CRÉPIN-LEBLOND: Seun Ojedeji.

ALAN GREENBERG: Sorry. I thought I saw John first.

OLIVIER CRÉPIN-LEBLOND: Sorry, I wasn't paying attention. I wasn't sure that I was running the queue.

ALAN GREENBERG: I just asked you to run the queue.

OLIVIER CRÉPIN-LEBLOND: Oh, you just did. Okay. Thank you.

ALAN GREENBERG: I believe we had John and Seun.

OLIVIER CRÉPIN-LEBLOND: Thank you, sir.

JON LAPRISE: I think, on one hand, I would say that for the transition to work for us, we shouldn't notice any difference from the past in terms of operations. That said, I'm also looking for steady improvement in the organization on a positive trajectory.

So the transition shouldn't entail any major negative changes. It should be more of the same, but at the same time, it should be steady improvement in the organization overall.

OLIVIER CRÉPIN-LEBLOND: Tijani Ben Jemaa. Oh, Seun was before you. Okay, so I've got Seun, Tijani, and Narine. Seun.

SEUN OJEDEJI: Thank you. Just to be clear, are we addressing question one first, or can I respond to both, Mr. Chair?

ALAN GREENBERG: You can respond to both, because I'm going to respond to both.

SEUN OJEDEJI: Okay, thank you.

ALAN GREENBERG: We perhaps should read the second one. "What can we, the Board, ICANN organization, and community do to" – I can't read the white words, but it says – "to enhance trust?" So yes, if you want to address both of them, go ahead.

SEUN OJEDEJI: Okay, thank you. For the first one, I think it's a little bit in line with what John said, but in a different way. When we were doing the Work Stream 1, there are other things that need to be done, which brought about Work Stream 2. So, I think one of the things we need to remind about is the fact that Work Stream 2 needs to be done as required and as expected as well.

On question two, there was a publication that was sent about Board remuneration, which was sent as part or in response to the Work Stream 1 recommendations, and I put a question to the list then, a few questions to Xavier then, which Steve responded to.

The response just sums up to the fact that the Board gets paid, but everybody gets paid without being checked or whether they are doing anything on the Board or not.

So, I think one question I would like to put to them is whether they are considering any way of checking performance before

they get remunerated with the amount – for the [\$5000], I think.
Yes.

ALAN GREENBERG: Just for the record, it is not remuneration. They're not being paid for the work. It is an allocation to compensate them for time and effort put into it. There is a subtle difference. No, no. You – on many grounds, there is a subtle difference.

OLIVIER CRÉPIN-LEBLOND: Tijani Ben Jemaa.

ALAN GREENBERG: You can certainly ask, “To what extent is there evaluation?” I would not tie it to the compensation, however. Go ahead, Olivier.

OLIVIER CRÉPIN-LEBLOND: Mr. Chair, we have a long queue right now. We have Tijani Ben Jemaa, Narine Khachatryan, Harold Arcos, Alan Greenberg, Sébastien Bachollet, and John Laprise. Do you wish to keep the queue open?

ALAN GREENBERG: I would suggest you cut the queue at that point.

OLIVIER CRÉPIN-LEBLOND: Okay, so you would suggest I close the queue? Okay, closed. Okay, next is Tijani Ben Jemaa.

TIJANI BEN JEMAA: Thank you very much. You said, Alan, that you don't know what does it mean, this question, you are absolutely right. Because as it is formulated here, it doesn't mean anything for me. And the answer to this question, in any case, any meaning it may have, will be nothing.

Because what they can do to make the transition work? The transition is already done. All the accountability mechanisms are done. The remaining things are underway in the Work Stream 2, so they don't have anything to do and they cannot do anything to change things. So in my point of view, the response to this question is always, in any case, nothing.

ALAN GREENBERG: Narine Khachatryan.

NARINE KHACHATRYAN: Actually, I raised a hand earlier. My question was related to participation and engagement, and when we were speaking. And I also want to stress that I'm a face-to-face participant of the ATLAS II meeting in London.

We have been speaking about participation and engagement since then very often. And yesterday, we have learned that most of participants of At-Large community and why the community are not satisfied with how At-Large structures and how At-Large community is represented and populated. Only 4% of respondents told that –

OLIVIER CRÉPIN-LEBLOND: Narine, sorry of interrupting you here. I think we've got a session after this one that will be discussing the ALS engagement and this. Perhaps if you could bank with this and move it over to then?

NARINE KHACHATRYAN: So, my question – just to conclude, my question is, are there any specific measures and actions included in this document after this At-Large review has been done? Because we have seen that those measures which have been done until now, they are not sufficient and don't bring the necessary outcomes. Thank you very much.

ALAN GREENBERG: There is a session talking about that kind of thing later on. We must focus on the Board. In theory, the session is over now, and we have a long speaker queue.

OLIVIER CRÉPIN-LEBLOND: Yes, Narine, there is actually a session. And yes, this is being addressed, is a quick answer for the question. Next is Harold Arcos.

HAROLD ARCOS: With respect to the questions by the Board, the first is, "What should we do so that the transition work for us?" Maybe an interpretation could be, "How can our work be more effective? How can the transition work for us in the understanding that our work as ALAC is to have informed engagement and participation?"

If we, within the regions, want to have informed participation, we should have the capacity to bring ICANN knowledge to the largest amount of users possible. Otherwise, it would be asking for an opinion for a group of people who can't read and write, asking their opinion on a book. If you know that these people cannot read and write, they cannot really answer, because they don't really have that skill. They don't have that knowledge.

So, maybe the Board could drive all those projects to bring knowledge to end users, like projects that we already have in LACRALO – initiatives to create courses from the ALSes themselves

And with respect to the second question, "What would we need to have a greater reliability?" Well, we know that trust cannot come by decree. You need to build trust. And I think a response or a recommendation for the Board is to state which is their scope of ICANN, the field of action of ICANN, because the global opinion sometimes misinterprets what ICANN does or what it should do. And it's the same debate we have in the human rights working group.

There is no clear definition of what is the scope, the limited field of action ICANN should have, and that is why expectations are created, and this affects trust. So, establishing that trust is related to – establishing those actions is related to how trust is built. Thank you.

ALAN GREENBERG: Thank you. I ask staff to make sure the alarm is annoying enough that people notice it.

OLIVIER CRÉPIN-LEBLOND: The next person – and we're going to need the alarm – is Alan Greenberg.

ALAN GREENBERG: Thank you. My answer to both of these questions – now, as I said, my interpretation, and Steve Crocker's interpretation of the transition, implies including accountability issues, and my answer to both of them is you need to follow the intent, not necessarily the word of the law.

We want transparency. We don't want people hiding behind – the Board or staff – hiding behind, "Well, you didn't say that we had to reveal this particular thing." It's really a matter of intent, not wording, and we want to make sure that the organization, including staff, including all of the Board, including the ACs and SOs, understand that accountability is important, and transparency is important. Thank you.

OLIVIER CRÉPIN-LEBLOND: Sébastien Bachollet.

SÉBASTIEN BACHOLLET: Merci.

ALAN GREENBERG: Excuse me. We have four more minutes and then we have to let the interpreters go. We can't continue without interpretation. Sébastien, go ahead.

SÉBASTIEN BACHOLLET: Thank you very much. I think that even though the transition is almost finished, the work is not finished. And the Board, the ICANN Board, and the ICANN staff must follow the transition and the works. It is a key issue, but there must be some meeting point with a reporting made in a transparent way, of all the groups working on that, to see how we can improve this issue.

If it's a meeting with the officers just before the ICANN meeting, okay. But we need a reporting of what is done. I would like that to be made in a transparent way. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Sébastien. And finally, to finish our session, John Laprise.

JOHN LAPRISE: I answered question 1 earlier, but to close with 2, trust and confidence simply, for me, means saying what you're going to do and then executing it on an ongoing basis over time. So it's going to take time to build trust and confidence, but repeated assertions of action and then followed by the actual action is what's required.

OLIVIER CRÉPIN-LEBLOND: Thank you, John. Back to you, Alan Greenberg.

ALAN GREENBERG: I'm not quite sure how I consolidate the comments, and we will not have enough time in the meeting to open it up to an infinite number of comments. We also were supposed to be looking at the things we would be saying to the Board, which we didn't get to.

I welcome any advice privately as to just how we organize it, or perhaps we give a number of speakers one minute. But I'm a little concerned that we don't have a real clear message to give to the Board on this one. But I do welcome input.

Thank you very much. I thank the interpreters for staying over a little bit, and the technical staff. And this meeting is now adjourned. We meet again at 13:45. We will be starting on time, and I am somewhat determined to start on time even if the room is empty.

OLIVIER CRÉPIN-LEBLOND: Just one ten-second thing. Actually, the questions in part two here are dealt with. The ALAC to state its position on the new gTLD subsequent round, we're going to discuss this this afternoon so we can decide then.

ALAN GREENBERG: Noted. The meeting is adjourned.

UNIDENTIFIED FEMALE: Thank you. Interpreters, please do go off to lunch. I know that you're on a very tight schedule. I think that everyone will understand what I will say now in English, because I'm talking about food. Just to remind you, if you need reminding, that the food is North Foyer, so as you exit through the glass doors, please go for the complimentary lunch.

I'm just reminding you that it's out there because tomorrow, it's going to be elsewhere, so then I'll tell you where it is tomorrow.

ALAN GREENBERG: Those of us who are [inaudible]

[END OF TRANSCRIPTION]